

**Town of Boscawen
Select Board
MEETING MINUTES
Thursday, May 2, 2024, at 6:00 PM**

In Attendance: Matt Burdick, Lorrie Carey, Bill Bevans, Katie Phelps, Nicole Hoyt, Kate Merrill, Kellee Easler, Gary Moore, Tim Kenney, Jason Killary & Dean Hollins

Guests: Don Jutton & Mason Donovan

Roll Call: completed and guests introduced.

Chairwoman Lorrie Carey called the meeting to order at 6:00pm.

Consent Agenda Items:

- P&L, Balance Sheet, Check Manifest & Payroll (2 Weeks)
- Nonpublic/Public Minutes for Approval— 4/18/24
- Report from Exec Councilor Warmington— 4/18/24
- Sewer Project 3 & 4 – CWSRF –Disbursement #3
- Police Dept Report –4/15 – 04/28/24
- Land Use Change Tax Map 83 Lot 61 (Correction)
- Veteran’s Credit Landowner S and E –\$500
- Solar Exemption Map 183D Lot 146 –\$8,800
- Sewer Abatements 183D 24 T4 and 183D 76
- Gravel Warrant – 183D 134 –\$406.86
- Sewer Warrant FY24 Bill #2
- Merrimack Valley Youth Baseball & Softball Schedule

Chairwoman Carey noted grammatical changes to the 04.18.24 public minutes.

Tax Collector Nicole Hoyt clarified that the Land Use Change Tax for Map 83 Lot 61 was printed double-sided and was corrected last year. The Merrimack County Register of Deeds will not accept photocopies, so the Select Board must provide wet signatures.

Selectman Matt Burdick motioned to approve the Consent Agenda as amended. Seconded by Selectman Bill Bevans. Roll Call Vote. All in favor. None opposed.

Code Enforcement Officer Position: Town Administrator Katie Phelps introduced Don Jutton, who has been selected to be the town’s new Code Enforcement Officer. Mr. Jutton has significant experience in municipal government; he was a former Town Manager and the founder of Municipal Resources, Inc. Mr. Jutton introduced himself to the Board and provided more background information on his experience and expertise. TA Phelps presented the appointment

letter to the Board, and Chairwoman Carey swore in Mr. Jutton as the Code Enforcement Officer for the Town of Boscawen.

1913 Library: TA Phelps introduced Mr. Mason Donovan, who was joining the meeting via GoToMeeting, for the discussion on the 1913 Library. Mr. Donovan stated that the next step moving forward was to discuss the preservation easements or covenants. He noted that they discussed a possible solution for the parking situation. Chairwoman Carey said the Select Board was in agreement with making Ferry Road part of the property transfer to address the parking situation; however, they do not have the authority to do so. The Select Board had attempted to pass RSA 41:14a at the Town Meeting, which would have allowed the Select Board to sell town property, but it was not passed. As a result, the Select Board cannot sell any part of Ferry Road, and it would need to be taken to Town Meeting for approval. Mr. Donovan presented two different alternatives for parking. He recommended a Lot Line Adjustment to reconfigure the area so that it falls within what the town already approved, or to provide a right of way so that the town still owns the road but grants the buyer the ability to use it for parking. Chairwoman Carey noted that while the town still owned the road, she felt the townspeople would likely not want to maintain it. Public Works Director Dean Hollins stated that the road could not be maintained because it was a Class VI road owned by the town. Mr. Donovan pointed out that if the Select Board approved a lot line adjustment, there would be a revenue benefit because it would increase the value of the land, thereby increasing the tax value to the town. Selectman Bevans was in favor of the right of way option. Selectman Burdick also supported the right of way approach and was in favor of bringing the transfer discussion to Town Meeting. The Select Board will further discuss the right of way with legal counsel. Mr. Donovan asked for clarification on whether they were doing a preservation easement and having a third party handle it or covenants. Selectman Burdick clarified that they discussed building it into the deed itself through covenants versus paying about \$25,000 for a third party preservation easement. Mr. Donovan noted that they would need to discuss what the covenants will be. He mentioned that an inspection was completed on the 1913 library, and he forwarded the report to the town. There were no major structural issues. Other expected issues included new plumbing, new electrical, and HVAC systems. Mr. Donovan will present updates on the 1913 Library and Torrent Station at the next meeting in June.

Department Head Updates: Overseer of Welfare Hoyt presented the Welfare Policy revisions. Chairwoman Carey inquired about the shelter agreement. Hoyt explained that during the Emergency Rental Assistance Program (ERAP), many homeless individuals were put into housing paid for by federal funds. Many establishments suffered a lot of damage created by these individuals and have steered away from the voucher program. Most establishments are now only accepting credit cards. The shelter agreement came into place as a result of the damage. Hoyt said the agreement puts the responsibility on the individuals to be responsible at hotels and/or shelters. Chairwoman Carey asked if the agreement gave the Town the ability to deny shelter if someone caused disruption to a shelter or hotel. Hoyt said the Town would have the ability to deny individuals for previous disruption. Chairwoman Carey asked if the Town needed to provide a credit card to the hotel for damage. Overseer of Welfare Hoyt said the current hotel the Town deals with still accepts vouchers and the Town has not had any damage instances thus far.

Chairwoman Carey asked if Primex would cover any damage if the shelter agreement is signed by the individual involved. Hoyt will find out if the Welfare Department would be covered for that damage through Primex.

Finance Director Kate Merrill presented the Electronic Donations received for April for acceptance by the Select Board.

Selectman Bevans motioned to approve the Electronic Donations for April totaling \$30.70 for the Backpack Program. Seconded by Selectman Burdick. Roll Call Vote. All in favor. None opposed.

Finance Director Merrill noted the Department of Labor (DOL) updated requirements for being salaried. Effective July 1st, the salary level will be at \$844/wk. or \$43,888 per year. It will affect Fire Chief Tim Kenney where his status is salaried. FD Merrill said she will meet with Chief Kenney to discuss his options. Effective January 1, 2025, the DOL will increase the threshold to \$1,128 per week or \$58,656 per year which will impact an employee for a few months and potentially impact the wage schedule that was put into effect. FD Merrill called the State DOL for more information, but it was put in place by the Federal DOL. FD Merrill has a call into the Federal DOL for more guidance and will provide updates at future meetings.

TA Phelps presented a Code Enforcement letter for the property on Gage Street that requests more information for excess vehicles being stored on the property. The Select Board received a formal complaint on the property in January because it had multiple vehicles stored in the backyard. The property is in an R2 zone, and a junk yard and junk yard – motor vehicle is not a permitted use. The owners will have the choice to speak with Code Enforcement Officer Jutton or the Select Board to remedy the violation and bring the property into compliance.

TA Phelps gave an update on the first Town Flag public information meeting. Mr. Joshua Crawford led the meeting and did a great job. The next meeting will be on Monday, May 6th at 5:30 PM. TA Phelps created a drop box in the lobby for anyone who wants to provide feedback but is unable to attend the meetings. After the second meeting, Mr. Crawford will take the feedback and present final ideas at the meeting on Monday, June 3rd at 5:30 PM.

TA Phelps noted that the Old Home Day Town-wide Yard Sale will be held on Saturday, May 18th from 8:00 AM to 2:00 PM. It will be \$5 for a spot on the map or \$10 for a table at the Municipal Office. The deadline to apply has been extended to Friday, May 10th.

Planning and Community Development Director Kellee Easler gave an update on the Agricultural Commission. AgComm will be going on a site walk for a special exception requested by the Zoning Board of Adjustment (ZBA) for mini donkeys. The AgComm Chair and Vice Chair, Mr. John Keegan and Mr. John Porter will conduct the site walk in order to supply the ZBA with a special exception letter. PCD Director Easler and Code Enforcement Officer Jutton will meet the homeowner next week.

PCD Director Easler provided an update on the Planning Board. A 2-lot subdivision will come forth next week for North Water Street. The first property tax warrant will be finished on Thursday, May 9th, so PCD Director Easler will bring it to the Select Board meeting for signatures.

PCD Director Easler and PCD Coordinator Kara Gallagher completed a site walk at the pit on Fisher Ave with a member of the Department of Revenue Administration (DRA) and the property owner, Mr. Kevin Whitney. They discussed Mr. Whitney's plans for the future. The Alteration of Terrain will be reviewed in March 2025. Mr. Whitney will be working with a surveyor to change his reclamation and possibly do development. He would set it up and sell it to be developed. Discussion ensued. PCD Director Easler will continue to update the Board on the plan.

Town Clerk Hoyt noted that the week that the Select Board voted on the purchase of the new counting device for elections, the Secretary of State's office included the printer that was not previously required, as a mandatory item to the Town's package. Town Clerk Hoyt said the expense was budgeted in the department budget.

Town Clerk Hoyt discussed House Bill 1124. Representative Spillsbury was not happy with the number of people and boards in his town, so his plan was to limit the amount to a certain degree. The bill is supposed to be getting amended. Town Clerk Hoyt said if the bill is not amended, she will need to give up one of her titles as Town Clerk or Tax Collector because she was elected for Town Clerk and appointed for Tax Collector. Town Clerk Hoyt explained that the Board could vote to combine the positions, but they would lose Deputy Tax Collector, Ms. Norma Caporale because it would be an elected position. Town Clerk Hoyt noted it strongly affects the employees and what Boards they're on and the number of Boards they can be on. House Bill 1124 will be heard in the Senate next week.

Facilities Director Gary Moore gave an update on Facilities projects. For the Torrent Building, the old fire truck has been relocated. The Chair of the Old Home Day Committee, Ms. Polly Dawson, requested to wait to move out their materials until after the town-wide yard sale on May 18th. FD Moore asked if Ms. Dawson could start tagging items that would move to the old Town Hall, but she has not responded. FD Moore was looking for the Select Board to make a decision. FD Moore sent two notices to the vendors for the Fire Department showers, asking about their timelines but has not received responses. Public Works Director Hollins turned on the water at the Dorval House. FD Moore and PWD Hollins cleaned the Dorval House and installed two new microwaves. The Police Department flooring was almost finished. The last tasks are to epoxy the Sally Port floor and complete details in the kitchen. FD Moore removed the attic windows at the Municipal Building and sent them to the restoration facility. FD Moore has been working on the records retention for the records downstairs at the Municipal Office. The department heads had a meeting and discussed organizing the records based on which department they fall under. FD Moore did preventative maintenance on the Fire Department generator. There was a 1500-watt heater that ran 24/7. He put a shut off valve and reduced it to a 1000-watt heater. The town will

save 500-watts for the months it runs, and they would shut it off for several months. No further discussion.

Fire Chief Tim Kenney gave an update on the Fire Department. They had an unexpected expenditure for Engine 2. The pump packings loosened up and a lot of water was running out of the pump. The cost was \$552 to fix it. Chief Kenney said the expense was covered within their budget. Chief Kenney said the overhead doors were broken again. They previously tried repairing them with old parts, but the motors stopped working again. Quotes are around \$5,700. The company that installed the doors are no longer in commercial business. Chief Kenney will update the Board with quotes for the door motors. As of May 1st, the call volume has been on pace to last year. Chairwoman Carey asked about the departments staffing needs. The department still has open positions. Chief Kenney noted there was a fireman referred from Concord Fire department who was interested in a position. Selectman Burdick asked if yearly fire pit permits were available. Chief Kenney said residents have three options: to go to the Town Clerk's office, to call Chief Kenney, or buy one online at a \$5 charge.

Police Chief Jason Killary provided an update on the Police Department. The Hannah Dustin statue was vandalized again. There was more paint involved this time. Police Chief Killary contacted the State of New Hampshire, and they are looking into ways to help. Police Chief Killary will update the Board on any information received from the state.

Public Works Director Hollins gave an update on the Public Works Department. Spring leaf cleanup was finished in three days. On Monday, PWD Hollins met with Mr. Tim Scheer and Dan Rochette from Underwood Engineers for the Sewer Project 3 & 4. PWD Hollins said they were planning to add a few catch basins for the drainage. PWD Hollins reminded the public that Class VI roads were town roads and cannot be maintained. He noted there was one homeowner on a Class VI road that may be doing extensive work without permission. Legal counsel was drafting a letter for Police Chief Killary to hand deliver to the homeowner. PWD Hollins noted the department is still not fully staffed. They are working to fill one position. FD Merrill noted she had to rework the advertisement for the job posting because they have not had any applicants. No further discussion.

Chairwoman Carey opened public comment at 6:54 PM.

Chairwoman Carey closed public comment at 6:55 PM.

Non-Public Session:

Selectman Bevans motioned to enter a nonpublic session under RSA 91-A:3 II (c) at 6:55 PM. Seconded by Selectman Burdick. Roll Call Vote. All in favor. None opposed.

Selectman Burdick motioned to exit the nonpublic session under RSA 91-A:3 II (c) at 8:07 PM. Seconded by Selectman Bevans. Roll Call Vote. All in favor. None opposed.

Selectman Bevans motioned to seal the nonpublic minutes under RSA 91-A:3 II (c), as it could adversely affect the reputation of any person other than a member of this Board. Seconded by Selectman Burdick. Roll Call Vote. All in favor. None opposed.

Next Meeting: Thursday, May 9, 2024, at 6:00 PM.

Selectman Burdick motioned to adjourn at 8:09 PM. Seconded by Selectman Bevans. Roll Call Vote. All in favor. None Opposed.

Respectfully submitted by Hannah Gardner